

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

PERSONALIZED MEDIA  
COMMUNICATIONS, LLC

v.

ZYNGA, INC.

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Case No. 2:12-CV-00068-JRG-RSP

**ORDER REGARDING PRETRIAL CONFERENCE**

**Exhibits:** Parties sometimes designate thousands of exhibits for trial—causing both sides to go through the expense of reviewing and objecting to those exhibits—but typically only use a handful of exhibits in front of the jury. Thus, each side is limited to designating 250 exhibits for trial absent a showing of good cause. Both sides are ordered to revise their exhibit lists to reflect this limitation, and to bring at least three courtesy copies of the revised exhibit lists to the hearing for the Court to review.

**Deposition Designations:** Parties sometimes designate substantially more deposition testimony (with corresponding exhibits) than they expect to use, causing both sides to undergo the expense of reviewing and objecting to testimony that will not be used at trial. Thus, each side is limited to designating no more than 3 hours of deposition testimony for use at trial absent a showing of good cause. Both sides are ordered to revise their deposition designations to reflect this limitation, and to bring at least three courtesy copies of the revised exhibit lists to the hearing for the Court to review.

**Objections to Exhibits and Deposition Designations:** In advance of the pretrial conference, the parties are ordered to meet and confer and make a diligent effort to resolve each objection to the exhibit lists and deposition designations. If the objections are not resolved in advance of or during the initial pretrial conference, the Court intends to require the parties to submit a “Joint Notice of Outstanding Objections” in advance of any subsequent conference. Such a Notice would categorize all outstanding objections into logical groups and provide the parties’ arguments for the admissibility of such evidence.

**SIGNED this 18th day of October, 2013.**

  
ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE